



PLANNING COMMISSION REPORT AND RECOMMENDATION TO CITY COUNCIL

January 26, 2022

Project File Number:	LAND-2021-00016 SEPA-2021-00017
Proposal Name:	Tree Regulations Update
Applicant:	City of Redmond
Staff Contacts:	Cathy Beam, AICP, Principal Planner

FINDINGS OF FACT

Public Hearing and Notice

a. **Planning Commission Study Sessions and Public Hearing Dates**

- i. The City of Redmond Planning Commission held study sessions on 9/29/2021, 10/13/2021, 10/27/2021, 12/15/2021, and 1/12/2022.
- ii. The City of Redmond Planning Commission held a public hearing on the proposed amendments on 11/10/2021. Public comments received are provided as part of the Attachment C, Planning Commission Issues Matrix.

b. **Notice and Public Involvement**

The public hearing notice was published in the Seattle Times on 10/20/2021 in accordance with Redmond Zoning Code (RZC) 21.76.080 Review Procedures. Notice was also provided by including the hearing schedule in Planning Commission agendas and extended agendas, distributed by email to various members of the public and various agencies. Additional public outreach included:

- i. Email to Tree Regulations Update Parties of Record and Interest;
- ii. Posting on Tree Regulations Let's Connect webpage;
- iii. Questionnaire on Tree Regulations Let's Connect webpage;
- iv. Two virtual office hours events; and
- v. Notice of the Public Hearing sent through city E-News.

Redmond Zoning Code Amendment Summary and Criteria Evaluation

The City is proposing amendments to RZC 21.72, Tree Protection and RZC 21.72, Definitions to add language that:

- Provides clarity in the regulations where there are conflicts or areas the regulations don't address to ensure consistent implementation and predictability;
- Ensures the regulations are reflective of community values;
- Aligns with the Community Strategic Plan so that regulations are complementary and don't conflict with the greater vision; and
- Responsibly maintains the City's tree canopy while supporting necessary growth and equitable opportunities to housing.

The full amendments are provided as Attachments D and E: Proposed Amendments to RZC 21.72 and Proposed Amendments to RZC 21.78.

Staff Analysis

RZC 21.76.070 ZONING CODE AMENDMENT CRITERIA (TEXT) <i>(Full staff analysis attached as Attachment A)</i>	MEETS/ DOES NOT MEET	STAFF ANALYSIS
1. All amendments to the RZC shall be in conformance with the Comprehensive Plan.	Meets	<p>Ensure that development regulations, functional plans, budgets, and other implementing measures and actions are consistent with and reinforce the Comprehensive Plan (PI-11).</p> <p>The proposed tree protection regulations are consistent with and reinforce the Comprehensive Plan, particularly the policies under the Tree Preservation and Landscape Enhancement subsection of the Natural Environment Element.</p> <p>NE-112 Preserve the natural environment and Redmond’s forested appearance.</p> <p>NE-113 Maintain no net loss of significant trees within the city over the long term.</p> <p>NE-114 Maximize tree retention and a treed appearance when development occurs through the following:</p> <ul style="list-style-type: none"> ▪ Require the retention of viable tree clusters, forested slopes, treed gullies, and specimen trees that are of species that are long-lived, not dangerous, well-shaped to shield wind, and located so that they can survive within a development without other nearby trees. ▪ Design and construct developments to retain these trees. ▪ Identify and protect these trees during land division and site development. ▪ Allow removal of nonsignificant trees to provide for project construction. ▪ Plant replacement trees on appropriate areas of the site or off-site locations to replace significant trees removed during construction. ▪ Encourage appropriate tree pruning, avoid topping. <p>NE-115 Design City capital improvement projects to preserve trees to the maximum extent possible.</p>

RZC 21.76.070 ZONING CODE AMENDMENT CRITERIA (TEXT) <i>(Full staff analysis attached as Attachment A)</i>		MEETS/ DOES NOT MEET	STAFF ANALYSIS
			<p>NE-117 Preserve trees within stream wetlands, and their associated buffers, and lake building setbacks.</p> <p>NE-123 Establish private maintenance provisions for trees that will be retained within developments.</p> <p>Prepare and maintain development regulations that implement Redmond’s Comprehensive Plan and include all significant development requirements. Ensure that the development regulations are clearly written, avoid duplicative or inconsistent requirements, and can be efficiently and effectively carried out (PI-19).</p> <p>This proposal involves updating existing tree protection regulations to provide clarity and avoid inconsistent requirements and execution. The proposed regulations are in alignment with the Comprehensive Plan and the City’s Strategic Vision.</p>
2.	Consistency with the Comprehensive Plan policies and the designation criteria;	Meets	The proposal is consistent with the Comprehensive Plan as noted above.
3.	If the purpose of the amendment is to change the allowed use in an area, the need for the land uses that would be allowed by the Comprehensive Plan amendment and whether the amendment would result in the loss of the capacity to meet other needed land uses, especially whether the proposed amendment complies with the policy on no net loss of housing capacity;	N/A	The proposal does not change the allowed uses in an area.
4.	Consistency with the preferred growth and development pattern of the Land Use Element of the Comprehensive Plan;	Meets	The proposed tree regulations are consistent with the preferred growth pattern, allowing flexibility in urban centers.

RZC 21.76.070 ZONING CODE AMENDMENT CRITERIA (TEXT) <i>(Full staff analysis attached as Attachment A)</i>	MEETS/ DOES NOT MEET	STAFF ANALYSIS
5. The capability of the land, including the prevalence of critical areas;	Meets	The proposed amendments will ensure continuity with environmental protection.
6. The capacity of public facilities and whether public facilities and services can be provided cost-effectively at the intensity allowed by the designation;	N/A	The proposal does not include a land use designation change.
7. The proposed amendment addresses significantly changed conditions.	Meets	The current tree regulations were adopted in 1998. The community has dramatically changed since then - 57% increase in population, 64% increase in housing units, and 85% increase in jobs over this timeframe. The update reflects current community values and balances tree protection with requirements to accommodate growth in an urbanizing community.

Recommended Conclusions of the Technical Committee

On 8/25/2021, the Technical Committee reviewed amendments to the RZC 21.72, Tree Protection and RZC 21.78, Definitions of the Redmond Zoning Code, identified as Attachments A and B to the Technical Committee Report, and found the amendments to be consistent with applicable review criteria and therefore recommended approval.

RECOMMENDED CONCLUSIONS

The Planning Commission has reviewed:

- A. *Applicable criteria for approval: RZC 21.76.070 Criteria for Evaluation and Action, and*
- B. *The Technical Committee Report (Attachment A).*

Recommendation

The Planning Commission has modified amendments to the Tree Protection (RZC, 21.72) and Definitions (RZC 21.78) Chapters of the Redmond Zoning Code identified as Attachments A and B to the Technical Committee Report. These modifications, identified in Attachments D and E of this Planning Commission Report, reflect public testimony and Planning Commission deliberations. The Commission finds the modified amendments to be consistent with applicable review criteria and therefore recommend approval.

Carol Helland
Planning and Community Development Director

Sherri Nichols
Planning Commission Chair

Attachments

- A. Technical Committee Report**
- B. Public Hearing Notice**
- C. Planning Commission Issues Matrix (includes public comment)**
- D. Proposed Amendments to RZC 21.72, Tree Protection**
- E. Proposed Amendment to RZC 21.78, Definitions**